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	WALDO, SS	,
	Docket	No
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: :	vs.	
:	GENEVIEVE E, HARGRAY	ve, et al Fendants,
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	COMPLAINT TO QUIET	ritle .

STATE OF MAINE
WALDO, SS.
WERA'S OFFICE Super COURT
Read and Filed this
Littley of April A.D. 1970

SUPERIOR COURT > 11275

WALDO, SS

Civil Action, Docket No.

WINSTON C. FERRIS of Bucksport, County of Hancock, State of Maine,

PLAINTIFF.

vs.

GENEVIEVE E. HARGRAVE, whereabouts unknown but whose last residence was in Philadelphia, County of Philadelphia, State of Pennsylvania, her heirs, legal representatives, devisees, assigns, trustees in bankruptcy, disseizors, creditors, lienors and grantees, and any and all other persons unascertained, not in being or unknown or out of the State, and all other persons whomsoever who claim or may claim any right, title, interest or estate, legal or equitable, in the within described land and real estate through or under said defendants, DEFENDANTS.

COMPLAINT TO

QUIET TITLE

1. This action is brought pursuant to the general jurisdiction of the Superior Court to grant appropriate equitable relief pursuant to 14, M.R.S.A., Sec. 6655 - 6658 to quiet and establish the title and to remove any cloud from the title of the Plaintiff to the following described land and real estate:

A certain lot or parcel of land, together with the buildings thereon, commonly known and designated as The Little River Inn, situated in Belfast in the County of Waldo and State of Maine, on the easterly side of the Atlantic Righway, and being bounded and described as follows, to wit:

Northerly by land of Fred R. Poor; Easterly by Penobscot Bay; Southerly by Little River and Westerly by the Atlantic Highway, so called

Excepting, however, a certain lot or parcel of land, together with the buildings thereon, conveyed to John Joseph Grady et ux by Ernest J. Bell and Marjorie N. Bell by deed dated May 18, 1964 and recorded in the Waldo County Registry of Deeds in Book 621 at Page 288, bounded and described in said deed as follows, to wit: A certain lot or parcel of land situated in Belfast in the County of Waldo and State of Maine commencing at a point on the south-easterly right of way line of U. S. #1 at a concrete culvert; thence south-westerly along said right of way line one hundred eighty-seven (187) feet to a point six (6) feet, more or less, northwesterly of an iron pin; thence South 48° 20' Rast one hundred thirty-eight (138) feet, more or less, to an iron pin and continuing on the same course thirty-nine (39) feet, more or less, to the high water mark of Penobscot Bay; thence turning and running northeasterly along said high water mark three hundred thirty-three feet, more or less, to an iron pipe; thence turning and running generally northwesterly and following the gully that marks the line between land of Ernest J. Bell and Marjorie N. Bell and land of Fred R. Poor to the point of beginning.

2. For more than four years Plaintiff and those under whom he claims title have been in uninterrupted possession of the above described land and real estate, claiming an estate in fee simple therein.

- 3. The Plaintiff's chain of title to the above described premises is as follows:
 - 1. Warranty deed of Eva T. Burd et al to Arthur Hartley dated March 3, 1924 and recorded March 14, 1924 in the Waldo County Registry of Deeds in Book 343 at Page 497.
 - 2. Mortgage from Arthur Rartley to the City National Bank of Belfast dated August 29, 1925 and recorded September 11, 1925 in the Waldo County Registry of Deeds in Book 359 at Page 161, which said mortgage was marginally discharged on August 19, 1926.
 - 3. Mortgage from Arthur Hartley to City National Bank of Belfast dated August 19, 1926 and recorded August 19, 1926 in the Waldo County Registry of Deeds in Book 362 at Page 318, which said mortgage was marginally discharged on September 5, 1928.
 - 4. Mortgage from Arthur Hartley to The City National Bank of Belfast dated August 21, 1928 and recorded August 23, 1928 in the Waldo Registry in Book 365 at Page 414, which said mortgage was marginally discharged on September 4, 1929.
 - 5. Mortgage from Arthur Hartley to The City National Bank of Belfast dated September 3, 1929 and recorded September 4, 1929 in the Waldo Registry in Book 366 at Page 470, which said mortgage was marginally discharged September 11, 1930.
 - 6. Mortgage from Arthur Hartley to The City National Bank of Belfast dated September 10, 1930 and recorded September 11, 1930 in the Waldo Registry in Book 367 at Page 286.
 - 7. Assignment of Mortgage by The City National Bank of Belfast to
 The First National Bank of Belfast dated February 14,1934 and recorded
 Pebruary 16, 1934 in the Waldo Registry in Book 386 at Page 63.
 - 8. Assignment of mortgage by The First National Bank of Belfast to
 - T. Ruth Weaver dated July 5, 1940 and recorded July 6, 1940 in the Waldo Registry in Book 391 at Page 351.
 - 9. Discharge of Mortgage by T. Ruth Weaver to Arthur Hartley dated

July 28, 1948 and recorded July 28, 1948 in the Waldo County Registry of Deeds in Book 375 at Page 391.

- 10. Warranty deed from Arthur Hartley to Genevieve E. Hargrave dated
 August 27, 1934 and recorded August 29, 1934 in the Waldo County Registry
 of Deeds in Book 386 at Page 452.
- 11. Quit-claim deed from Genevieve R. Hargrave to Arthur Hartley and Harriet L. Hartley, as joint tenants, dated August 27, 1934 and recorded August 29, 1934 in the Waldo Registry in Book 386 at Page 453, which said quit-claim deed fails to indicate the marital status of the grantor.

 12. Harriet L. Hartley survived her husband, Arthur Hartley, who deceased on or about August 25, 1950, and thereby became the sole surviving joint tenant, and as a result thereof, became the sole owner of
- 13. Mortgage from Harriet L. Hartley to The First National Bank of
 Belfast dated November 29, 1948 and recorded December 9, 1948 in the
 Waldo Registry in Book 462 at Page 391, which said mortgage was marginally
 discharged On October 2, 1950.

the premises.

- 14. Warranty deed of Harriet L. Hartley to William P. Butler and Pauline H. Butler, as joint tenants, dated September 22, 1950 and recorded September 30, 1950 in the Waldo Registry in Book 474 at Page 387.
- 15. Mortgage from William P. Butler and Pauline H. Butler to The First National Bank of Belfast dated February 29, 1952 and recorded March 10, 1952 in the Waldo Registry in Book 479 at Page 177, which said mortgage was marginally discharged on May 15, 1961.
- 16. Warranty deed from William P. Butler and Pauline H. Butler to Ernest J. Bell and Marjorie N. Bell, as joint tenants, dated May 13, 1961 and recorded May 15, 1961 in the Waldo Registry in Book 587 at Page 100.
- 17. Mortgage from Ernest J. Bell and Marjorie N. Bell to Depositors
 Trust Company dated May 13, 1961 and recorded May 15, 1961 in the
 Waldo Registry in Book 587 at Page 102, which said mortgage was marginally discharged on January 4, 1963.

- 18. Mortgage from Ernest J. Bell and Marjorie N. Bell to John C. Enk and Mary S. Enk, as joint tenants, dated December 28, 1962 and recorded January 2, 1963 in the Waldo Registry in Book 606 at Page 273, which said mortgage was discharged by a discharge recorded in the Waldo County Registry of Deeds in Book 652 at Page 115.
- 19. Ernest J. Bell deceased intestate November 24, 1965, a resident of Belfast, Maine, and by virtue of his death the joint tenant, Marjorie N. Bell, became vested with title to the entire premises.
- 20. Warranty deed of Marjorie Bell to Willis C. Trainor and Virginia K. Trainor, as joint tenants, dated October 17, 1966 and recorded October 17, 1966 in the Waldo County Registry of Deeds in Book 652 at Page 116.
- 21. Warranty deed of Willis C. Trainor and Virginia K. Trainor to Snelling S. Robinson dated September 1, 1967 and recorded September 1, 1967 in the Waldo Registry in Book 663 at Page 98.
- 22. Executor's deed from Evelyn Flanders Robinson and Continental
 Illinois National Bank and Trust Company of Chicago to Winston C. Ferris
 dated March 19, 1970 and recorded March 27, 1970 in the Waldo County
 Registry of Deeds in Book 680 at Page 688.
- 4. Your Plaintiff is concerned that some person or persons may claim that the said Defendant, Genevieve E. Hargrave, was not a single person at the time of the conveyance by her to Arthur Hartley and Harriet L. Hartley, as joint tenants, on August 27, 1934, which the Plaintiff denies but which the Plaintiff cannot prove without the production of certain evidence. Your Plaintiff is apprehensive that in the event the said Genevieve E. Hargrave was not a single person at the time of the aforesaid conveyance but was a married woman, that some person or persons may claim some right, title, interest or estate in the land which is the subject of this action.

WHEREFORE, the Plaintiff demands judgment against the Defendants that

1. They and every person claiming through or under them be barred from all
claims to any right, title, interest or estate in the above described real
property of the Plaintiff.

2. The Plaintiff is vested with title to the above described real pro-

perty in fee simple, free and clear of all claims by the Defendant or any person claiming by through or under her, which judgment shall operate directly on the land and shall have the force of a release made by, or on behalf, of the Defendant and all persons claiming by, through or under her of all claims inconsistent with the title established or declared hereby.

- 3. The Plaintiff is entitled to costs against any Defendant or Defendants who shall assert in this action, claim or claims adverse to the Plaintiff, and
- 4. The Plaintiff shall have other and further relief as the Court $_{\mbox{\scriptsize may}}$ deem just and proper.

Dated: April 10, 1970

Attorney for the Plaintiff
Thomas W. Hammond III, Esq.
Eaton, Glass & Marsano
Savings Bank Building
Belfast, Maine 04915

State of Maine Waldo, ss

200

April 10, 1970

Personally appeared the above named Thomas W. Hammond III, Esquire, Attorney for the Plaintiff herein, who subscribed the foregoing in my presence and made oath to the truth of all of the allegations herein contained of his own knowledge and belief, and that, so far as upon his information and belief, he believes his information to be true, and that the existence or whereabouts of the Defendants named herein or those claiming thereunder, is unknown to him.

Before me,

Justice of the Peace

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STATE OF MAINE SUPERIOR COURT CIVIL ACTION, WALDO, 88

DOCKER NO.

WINSTON C. FERRIS, PLAINTIFF

MOTION FOR SERVICE BY PUBLICATION

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STATE OF MAINE SUPERIOR COURT WALDO, 88 CIVIL ACTION,

DOCKET NO.

WINSTON C. FERRIS, PLAINTIFF

٧s

GENEVIEVE E. HARGRAVE, et al DEFENDANTS

ORDER FOR SERVICE BY PUBLICATION

Eaton, Glass & Marsano Belfast, Maine

STATE OF MAINE WALDO, SS, WALDO, SS,
CERK'S OFFICE Supe COURT

Ruc'd and Filed this

The day of April A D. 19 70

Child D. Hage Clerk.

SUPERIOR COURT

WALDO, SS

CIVIL ACTION, DOCKET NO. - 11275

WINSTON C. FERRIS of Bucksport, County of Hancock, State of Maine,

V

GENEVIEVE E. HARGRAVE, whereabouts unknown but whose last residence was in Philadelphia, County of Philadelphia, State of Pennsylvania, her heirs, legal representatives, devisees, assigns, trustees in bankruptcy, disseizors, creditors, lienors and grantees, and any and all other persons unascertained, not in being or unknown or out of the State, and all other persons whomsoever who claim or may claim any right, title, interest or estate legal or equitable, in the within described land and real estate through or under said defendants,

ORDER FOR

SERVICE BY

PUBLICATION

DEFENDANTS.

TO THE ABOVE NAMED DEFENDANTS:

In Plaintiff's Civil Action above captioned, the Plaintiff claims an estate in freehold, to wit, an estate in fee simple in certain property within the County of Waldo and State of Maine, alleging that he and those under whom he claims title have been in possession of the same for a period of four (4) years, or more. He seeks to determine the rights or claims of the named Defendants or any persons unascertained, not in being or unknown, claiming by, through or under the named Defendants or otherwise, and demands that the above named Defendants be barred from all claims to any right, title, interest or estate in the hereinafter described premises, and that he is vested with title to the hereinafter described real property in fee simple free and clear of all claims by the defendants or any person claiming through or under them, and pray that the judgment shall operate directly on the land and shall have the force of a release made by or on behalf of all defendants of all claims inconsistent with the title established or declared hereby:

A certain lot or parcel of land, together with the buildings thereon, commonly known and designated as The Little River Inn, situated in Belfast in the County of Waldo and State of Maine, on the easterly side of the Atlantic Highway, and being bounded and described as follows, to wit:

Northerly by land of Fred R. Poor; Easterly by Penobscot Bay; Southerly by Little River and Westerly by the Atlantic Highway, so called.

Excepting, however, a certain lot or parcel of land, together with the buildings thereon, conveyed to John Joseph Grady et ux by Ernest J. Bell and Marjorie N. Bell by deed dated May 18, 1964 and recorded in the Waldo County Registry of Deeds in Book 621 at Page 288, bounded and described in said deed as follows, to wit: A certain lot or parcel of land situated in Belfast in the County of Waldo and State of Maine commencing at a point on the southeasterly right of way line of U. S. #1 at a concrete culvert; thence southwesterly along said right of way line one hundred eighty-seven (187) feet to a point six (6) feet, more or less, northwesterly of an iron pin; thence South 48° 20° East one hundred thirty-eight (138) feet, more or less, to an iron pin and continuing on the same course thirty-nine (39) feet, more or less to the high water mark of Penobscot Bay; thence turning and running northeasterly along said high water mark three hundred thirty-three feet, more or less, to an iron pipe; thence turning and running generally northwesterly and following the gully that marks the line between land of Ernest J. Bell and Marjorie N. Bell and land of Fred R. Poor to the point of beginning.

You are hereby summoned and required to serve upon Thomas W. Hammond, III Esquire, Flaintiffs' Attorney, whose address is Messrs. Eaton, Glass & Marsano Savings Bank Building, Belfast, Maine, an answer to the Flaintiff's Complaint

within twenty (20) days after the completion of service of this Order, which service is complete on the twenty-first day after the first publication of this Order as hereinafter set forth.

If you fail to do so, judgment by default will be taken against you for the relief demanded in the Complaint. Your answer must also be filled with the Court. As provided in Rule 13 (a), your answer must also state as a counter-claim any related claim which you may have against the Plaintiff, or you will thereafter be barred from making such claim in any other action.

It is ORDERED that a copy of this Order of Service by Publication, duly attested by the Clerk of the Superior Court within and for the County of Waldo, be published once a week for three (3) successive weeks in the Republican Journal, a newspaper of general circulation within and for the County of Waldo, wherein the aforementioned civil action is now pending; first publication to be no later than April 16, 1970.

DATED: April M, 1970

Justice, Superior Court

1650000

No. 11275

WINSTON C. FERRIS

V8.

GENEVIEVE E. HARGRAVE etals

Filed Apair 14 1976

Judgment 1976

Execution issued_______10

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APR SPI

WALDO COUNTY SUPERIOR COURT

STATE OF MAINE WALDO, ss.	SUPERIOR COURT Civil Action, Docket No. 11,2	275
Winston C. Ferris		
}	PROOF	٠
vs. }	OF	
Genevieve E. Hargrave et als	PUBLICATION	
I, Thomas W. Hammond, III	being duly sworn, depose and	
say, that I am the plaintiff's	Attorney, that The Republican	
Journal is a weekly newspaper	of general circulation in Waldo	
County, Maine; that the order,	(of which the attached clippings	
	eof) was published in said news-	
	ccessive weeks, and that the first	
publication was made in the is		_
	Thomas W. Hammon Luc Attorney for Plaintiff	•
Subscribed and sworn to before	me thisfirstday of	
May 19 70 .		
	Notary Public Justice of the Peace	

STATE OF MAINE SUPERIOR COURT WALDO, SS CAVIL Action Docket No. 11275

Winston C. Ferris, Elaintipp

SZ .

CENEVIEVE E. HARGRAVE, et als Defendant

MOTION FOR APPOINTMENT OF GUARDIAN AB LITEM

Eaton, Glass & Marsano Balfast, Maine

STATE OF MAINE WALDO, SS.

SUPERIOR COURT

WALDO, SS

Civil Action, Docket No. 11275

WINSTON C. FERRIS of Bucksport, County of WINSTON G. FEBRUS. Hancock, State of Maine, FLAINTIFF,

MOTION FOR APPOINTMENT

GENEVIEVE E. HARGRAVE, et als DEFENDANTS. OF GUARDIAN AD LITEM

WHEREAS service has been made upon all of the named defendants, their heirs, legal representatives, devisees, assigns, trustees in bankruptcy, disseizors, creditors, lienors, and grantees, and any and all persons wascertained or not in being or unknown or out of the State, and any and all persons whomsoever who claim any right, title, interest or estate in the land and real estate described in Flaintiff's Complaint by publication in accordance with the order of the court and the time limited in such published notice for the appearance of the defendants has expired; and

WHEREAS there are or may be other defendants who have not been served with process and who have not appeared in this action;

The Plaintiff moves that the Court, pursuant to Title 14, Section 6654 of the Revised Statutes of Maine, 1964, as amended, appoint Roger F. Hlake, Esquire, of Belfast, Maine or some other suitable person as Guardian Ad Litem for any such defendent as are emmarated in Paragraph 1 and 2 hereof.

Dated: June 12, 1970:

SUPERIOR COURT

WALDO, SS

Civil Action,

Docket No. 11275

WINSTON C. FERRIS, PLAINTIFF

vs.

GENEVIEVE E. HARGRAVE,
DEFENDANT,

ORDER APPOINTING GUARDIAN AD LITEM

Eaton, Glass & Marsano Belfast, Maine

STATE OF MAINE WALDO, SS.

SUPERIOR COURT

WALDO, SS

Civil Action, Docket No. 11275

WINSTON C. FEBRUS V. Hancock, State of Maine,
Plaintiff, WINSTON C. FERRIS of Bucksport, County of

ORDER APPOINTING

GENEVIEVE E. HARGRAVE, et als, Defendants, GUARDIAN AD LITEM

The Court, finding that service has been made upon all the defendants in accordance with the Maine Rules of Civil Procedure and the order for service by publication entered in this action, and that the time limited for the appearance of the defendants has expired, and that there are or may be defendants who have not been actually served with process and who have not appeared in this action, it is

ORDERED AND ADJUDGED that Roger F. Blake, Esquire, of Belfast, Maine, be and he hereby is appointed Guardian Ad Litem for any Defendants who have not been actually served with process and who have not appeared in this action.

une 19, 1970.

Walliam & Silsky Justice, Superior Court

ACCEPTANCE OF APPOINTMENT

I, Roger F. Hlake, Esquire, hereby accept the about

Dated: June 19, 1970

STATE OF MAINE WALDO, SS SUPERIOR COURT Civil Action,

Docket No.__11275

WINSTON C. FERRIS, PLAINTIFF

Answer of Guardian ad Litem

Eaton, Glass & Marsano Balfast, Maine

STATE OF MAINE

SUPERIOR COURT

WALDO, SS

Civil Action, Docket No. 11275

WINSTON C. FERRIS of Bucksport, County of) Hancock, State of Maine,

Plaintiff,

ANSWER OF GUARDIAN AD LITEM

V8-

GENEVIEVE E. HARGRAVE, et als, Defendants,

Roger F. Elake, Esquire, Guardian ad Litem, to represent and defend the rights and interests of persons unknown or unascertained claiming by, through or under the named defendants, their heirs, legal representatives, devisees, assigns, creditors, trustees in bankruptcy, disseizors, lienors, grantees, and all other persons whomsoever claiming by, through or under the named defendants or in any other manner, who are minors, persons of unsound mind, members of the military services, or who are residents of the State and who have not appeared in this action, answers and says:

- 1.) That he is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph (1) of Plaintiff's Complaint.
- 2.) That he is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph (2) of Plaintiff's Complaint.
- 3.) That he is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph (3) of Plaintiff's Complaint.
- 4.) That he is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph (4) of Plaintiff's Complaint.

Wherefore, Boger F. Blake, as Guardian Ad Liter aforesaid, demands that Plaintiff's Complaint be dismissed.

Bated: June 19, 1970.

Guardian Ad Litem

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FINAL DECREE

GENEVIEVE E. HARGRAVE, DEFENDANT,

STATE OF MAINE WALDO, SS. FRICE LAND TOTALS

WINSTON C. FERRIS, PLAINTIFF,

STATE OF MAINE SUPERIOR COURT Civil Action, WALDO, SS Docket No. 11275

SUPERIOR COURT

WALDO, SS

Civil Action, Docket No. 11275

WINSTON C. FERRIS of Bucksport, County of Hancock, State of Maine,

PLATNTTFF.

vs.

GENEVIEVE E. HARGRAVE, whereabouts unknown but whose last residence was in Philadelphia, County of Philadelphia, State of Pennsylvania, her heirs, legal representatives, devisees, assigns, trustees in bankruptcy, disseizors, crediors, lienors and grantees, and any and all other persons unascertained, not in being or unknown or out of the State, and all other persons whomsoever who claim or may claim any right, title, interest or estate, legal or equitable, in the within described land and real estate through or under said defendants,

FINAL DECREE

This matter came on for hearing before the Court and the Court finding that service by publication upon all defendants has been made in accordance with the Order of this Court dated April 14, 1970, and Roger F. Blake., Esq., of Belfast, Maine, having been appointed Guardian Ad Litem under Title 14, M.R.S.A., Section 6656 for all defendants, and the said Roger F. Blake., Esq. having filed an acceptance of appointment and an answer denying the allegations of the Complaint;

It is, after hearing, ORDERED, ADJUDGED AND DECREED THAT:

1. The defendants and every person claiming by, through, or under them, be barred from all claims to any right, title, interest or estate in the following described land and real estate:

A certain lot or parcel of land, together with the buildings thereon, commonly known and designated as The Little River Inn, situated in Belfast, in the County of Waldo and State of Maine, on the easterly side of the Atlantic Highway, and being bounded and described as follows, to wit:

Northerly by land of Fred R. Poor; Easterly by Penobscot Bay; Southerly by Little River and Westerly by the Atlantic Highway, so called.

Excepting, however, a certain lot or parcel of land, together with the buildings thereon, conveyed to John Joseph Grady et ux by Ernest J. Bell and Marjorie N. Bell by deed dated May 18, 1964 and recorded in the Waldo County Registry of Deeds in Book 621 at Page 288, bounded and described in said deed as follows, to wit: A certain lot or parcel of land situated in Belfast in the County of Waldo and State of Maine commencing at a point on the southeasterly right of way line of U. S. #1 at a concrete culvert; thence southwesterly along said right of way line one hundred eighty-seven (187) feet to a point six (6) feet, more or less, northwesterly of an iron pin; thence South 48° 20' East one hundred thirty-eight (138) feet, more or less, to an iron pin and continuing on the same course thirty-nine (39) feet, more or less, to the high water mark of Penobscot Bay; thence turning and running northeasterly along said high water mark three hundred thirty-three feet, more or less, to an iron pipe; thence turning and running generally northwesterly and following the gully that marks the line between land of Brnest J. Bell and Marjorie N. Bell and land of Fred R. Poor to the point of beginning.

2. The plaintiff is vested with title to the above described land and real estate in fee simple.

3. A copy of this Judgment and Decree, attested as such by the Clerk of this Court, shall be recorded in the Waldo County Registry of Deeds and this Judgment and Decree shall operate directly upon the above described land and real estate and shall have the force of a release made by or on behalf of all the defendants of all claims inconsistent with the title established or declared hereby. This decree shall be recorded within thirty days after or declared hereby. This decree shall be recorded within thirty days after date in the Registry of Deeds for the County of Waldo and State of Maine, which county is the one in which this Court finds venue to exist.

Dated: June 26, 1970

Wulliam Vi Sulsa Justice, Superior Court